


ORDINANCE NO. 53

**An Ordinance to Place a Moratorium on the Construction and Erection of Polluting Industries in Caswell County**

- Section 1. Authority.** This ordinance is enacted pursuant to the general police powers granted to Caswell County by N.C.G.S. § 153A-121.
- Section 2. Purpose.** The purpose of this moratorium shall be to protect the public health, safety, general welfare, and property values of the Citizens of Caswell County from potential adverse health effects caused by polluting industries, such as potential harmful emissions of air or water pollutants, and any aesthetic or property value damage to adjacent communities. This moratorium is to prohibit the construction and erection of polluting industries for a period of one year during which Caswell County shall develop a land use ordinance that shall regulate future construction of such facilities.
- Section 3. Definition of Polluting Industry.** For purposes of this moratorium, a polluting industry is defined as any industry that produces objectionable levels of noise, odors, vibrations, fumes, smoke, or such other air or water pollutants that may have an adverse effect on the health, safety, and general welfare of the citizens of Caswell County. Polluting industries shall include those whose operation is restricted by state or federal permits relating to air or water quality regulations. Such industries include, but are not limited to, medical waste incinerators, paper mills, asphalt plants, nuclear waste storage facilities, and power generation plants.
- Section 4. Jurisdiction.** The provisions of this moratorium shall be applicable to all unincorporated areas of Caswell County. It is not applicable to any incorporated area or municipality in the County.
- Section 5. Moratorium.** The Caswell County Board of Commissioners hereby places a moratorium on the construction of polluting industries in Caswell County for a period of one year from May 15, 2002.
- Section 6. Variance.** During the pendency of this moratorium, the Caswell County Board of Commissioners may consider situations where a severe hardship may arise, and such hardships may be brought before the Board by a written request for variance from the moratorium. Before the Commissioners make a decision on any requested variance, they shall hold a public hearing on the subject and shall make a decision on the variance request no later than the second regularly scheduled meeting after submission of the variance request.

Adopted this 20th day of May, 2002.

Attest:

  
Wanda P. Smith  
Clerk to the Board

  
Mel O. Battle  
Chairman, Caswell County Board  
Of Commissioners